Forest Academy

Privacy notice for parents and carers – use of your personal data

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1. Introduction

Under UK data protection law, individuals have a right to be informed about how our school uses any personal data that we hold about them. We comply with this right by providing 'privacy notices' (sometimes called 'fair processing notices') to individuals where we are processing their personal data.

This privacy notice explains how we collect, store and use personal data about **parents and carers of pupils at our school**.

We, Forest Academy, Bury Road, Brandon, Suffolk, IP27 0FP – Tel: 01842 810309 are the 'data controller' for the purposes of UK data protection law.

2. The personal data we hold

Personal data that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Contact details and contact preferences (such as your name, address, email address and telephone numbers)
- Details of your family circumstances
- Details of any safeguarding information including court orders or professional involvement
- Records of your correspondence and contact with us
- Details of any complaints you have made
- Information about your use of our information and communication systems, equipment and facilities (e.g. school computers)

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about any health conditions you have that we need to be aware of
- Photographs and CCTV images captured in school

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We collect and use the data listed above to:

a) Report to you on your child's attainment and progress

b) Keep you informed about the running of the school (such as emergency closures) and events

c) Process payments for school services and clubs

d) Provide appropriate pastoral care

e) Protect pupil welfare

f) Administer admissions waiting lists

g) Assess the quality of our services

h) Comply with our legal and statutory obligations

i) Make sure our information and communication systems, equipment and facilities (e.g. school computers) are used appropriately, legally and safely

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis which allows us to do so.

Please note that we may process your personal information without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you marketing information by email or text promoting school events, campaigns, charitable causes or services that may be of interest to you.

You can withdraw consent or 'opt out' of receiving these emails and/or texts at any time by selecting the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision-making and profiling

We do not currently process any parents' or carers' personal data through automated decision-making or profiling. If this changes in the future, we will amend any relevant privacy notices in order to explain the processing to you, including your right to object to it.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in our school, we may monitor your use of our information and communication systems, equipment and facilities (e.g. school computers). We do this so that we can:

- Comply with health and safety and other legal obligations
- Comply with our policies (e.g. child protection policy, IT acceptable use policy) and our legal obligations
- Keep our network(s) and devices safe from unauthorised access, and prevent malicious software from harming our network(s)
- Protect your child's welfare

4. Our lawful basis for using this data

Our lawful bases for processing your personal data for the purposes listed in Section 3 above are as follows:

Public task

For the purposes of a, b, d, e, f, g and i, where applicable, we rely on the ‘public task’ basis. We process personal data where necessary to carry out our educational, pastoral, safeguarding, admissions and administrative functions in the public interest.

The legal basis for these functions includes relevant provisions of the Education Act 1996, the Education Act 2002, the Children Act 1989, the Children Act 2004 and applicable education and safeguarding regulations and statutory guidance, including the School Admissions Code and Keeping Children Safe in Education.

Legal obligation

For the purposes of a, b, c, d, e, f, h and i, where applicable, we rely on the ‘legal obligation’ basis. We process personal data where necessary to comply with specific legal duties, including those relating to education, safeguarding, pupil records, equality, health and safety, and data protection.

Relevant legislation includes the UK General Data Protection Regulation, the Data Protection Act 2018, the Education Act 1996, the Education Act 2002, the Children Act 1989, the Children Act 2004 and the Equality Act 2010, together with other applicable legislation and statutory guidance.

Consent

For the purposes of Section 3.1 (marketing communications), we rely on the ‘consent’ basis where we ask for your consent to send marketing communications by email or text about school events, campaigns, charitable causes or services.

You may withdraw your consent at any time by using the unsubscribe facility in the relevant communication or by contacting us. Withdrawal will not affect the lawfulness of processing carried out before consent was withdrawn.

Vital interests

For the purposes of d and e, where applicable, we may rely on the ‘vital interests’ basis when processing personal data is necessary to protect someone's life, for example, in a life-threatening emergency involving a pupil or another individual.

Contract

For the purposes of c, where applicable, we rely on the ‘contract’ basis where processing personal data is necessary to enter into or fulfil a contract with you, for example, in relation to paid-for school clubs or other services provided under a contract.

Legitimate interests

We may rely on the ‘legitimate interests’ basis for relevant activities that are not carried out as part of our official functions, where appropriate. These may include certain routine administrative activities and service-improvement activities.

Where we rely on legitimate interests, we will identify the relevant interest, ensure that the processing is necessary and consider whether your interests, rights and freedoms override those interests. We will not rely on this basis where it is unavailable for the processing activity concerned.

4.1 Our basis for using special category data

For ‘special category’ data, we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have obtained your explicit consent to use your personal data in a certain way
- We need to perform or exercise an obligation or right in relation to employment, social security or social protection law

- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for the establishment, exercise or defence of legal claims
- We need to process it for reasons of substantial public interest as defined in legislation
- We need to process it for health or social care purposes, and the processing is done by, or under the direction of, a health or social work professional or by any other person obliged to confidentiality under law
- We need to process it for public health reasons, and the processing is done by, or under the direction of, a health professional or by any other person obliged to confidentiality under law
- We need to process it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the processing is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have obtained your consent to use it in a specific way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The data concerned has already been made manifestly public by you
- We need to process it for, or in connection with, legal proceedings, to obtain legal advice, or for the establishment, exercise or defence of legal rights
- We need to process it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use your data when the law allows us to (as detailed above in section 4 of this notice). While the majority of information we collect about you is mandatory, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

Most of the data we hold about you will come from you, but we may also hold data about you from:

- Local authorities
- Government departments or agencies
- Your children
- Police forces, courts or tribunals
- Other schools and trusts

6. How we store this data

We keep personal information about you while your child is attending our school. We may also keep it beyond their attendance at our school if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our records management sets out how long we keep information about parents and carers.

Our records management policy is available to download from our website:
https://www.forest.suffolk.sch.uk/web/policies/258840

We have put in place appropriate security measures to prevent your personal information being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

We will dispose of your personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We do not share information about you with any third party without consent unless the law and our policies allow us to do so.

Where it is legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

- Our local authority, Suffolk County Council– to meet our legal obligations to share certain information with it, such as safeguarding concerns and information about exclusions
- Government departments or agencies
- Department for Education
- Our regulator, Ofsted
- Suppliers and service providers:
  - Aspens (catering)
  - CPOMS (Safeguarding monitoring)
  - Smoothwall (Filtering and Monitoring)
  - Arbor (School MIS)
  - SAGE Intacct (Finance package)
- Financial organisations
- Our auditors
- Survey and research organisations
- Health authorities
- Security organisations
- Health and social welfare organisations
- Professional advisers and consultants
- Charities and voluntary organisations
- Police forces, courts, tribunals

7.1 Transferring data internationally

International transfers of personal data

We use third-party service providers to support the delivery and administration of our school services, including Google Workspace for Education and Arbor, our management information system (MIS).

Arbor states that its MIS data and backups are hosted in the UK. However, some of its service providers and subprocessors may process personal data in other countries. Google Workspace for Education may also involve international processing or access to personal data, depending on the services used and the applicable contractual arrangements.

Where personal data is transferred to, or made accessible to, an organisation outside the UK, we will ensure that the transfer complies with UK data protection law. Depending on the circumstances, this may involve a UK adequacy regulation or appropriate safeguards, such as the UK International Data Transfer Agreement (IDTA) or the UK Addendum to the EU Standard Contractual Clauses, together with any required assessment of the transfer.

We will take appropriate steps to ensure that personal data remains protected when it is processed internationally. You can contact us using the details in the ‘Contact us’ section of this privacy notice to request further information about international transfers and the safeguards in place.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (subject to any exemptions that may apply):

- Give you a description of it
- Tell you why we are holding it, how we are processing it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal data is used and kept safe. For example, you have the right to:

- Object to our use of your personal data where it is likely to cause, or is causing damage or distress
- Prevent your data being used to send direct marketing
- Object to and challenge the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected or blocked
- In certain circumstances, have the personal data we hold about you deleted or destroyed, or restrict its processing
- Withdraw your consent, where you previously provided it for the collection, processing and transfer of your personal data for a specific purpose
- In certain circumstances, be notified of a data breach
- Make a complaint to the Information Commissioner's Office
- Claim compensation for damages caused by a breach of the data protection regulations

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

- Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task
- Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests
- Right to object to use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't haven't the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about our collection and use of personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting Naimi White – naimiwhite@forestacademy.co.uk

Alternatively, you can make a complaint at any time to the Information Commissioner's Office:

- Report a concern online at https://ico.org.uk/make-a-complaint/
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

Our data protection officer is:

- Schools' Choice Data Protection - data.protection@schoolschoice.org

However, our **data protection lead** has day-to-day responsibility for data protection issues in our school.

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact them:

- Naimi White – naimiwhite@forestacademy.co.uk